

REMARKS

The allowable nature of claims 6-8, 16, 22 and 28 is acknowledged. Claims 6 and 7 have been rewritten in independent form, and claims 6-8 are thus allowable. The fee of \$200.00 for these two additional independent claims is enclosed.

Claims 1-5, 9-15, 17-21, 23-27 and 29 have been rejected under 35 U.S.C. § 102 as being anticipated by Kallina U.S. Patent No. 6,313,800. For such a rejection to be proper, each and every claimed element or method step must be found in Kallina. However, Applicant is of the belief that such is not the case, and claim 1 has been amended to more fully distinguish Kallina.

The Kallina antenna is not at all similar to that of the Applicant. Element 807 of Kallina is not in any respect an active or conductive part of the Kallina antenna. Rather, it is merely a support for plastic clamps 803, 804 which are likewise not an active part of the antenna. Clamps 803, 804 grip rods 801, 802 which are active parts of the antenna and which are connected to a cable 808 through a balun 809.

Claim 1 has been amended to make it clear that both the Applicant's mast and block are conductive. Moreover, claim 1 requires that the block has bores to slidably receive the rods. Kallina does not disclose any bores to receive the rods 801, 802. Rather, the clamp halves 803, 804 merely clamp the rods, which is not nearly as satisfactory and as easy a connection as that disclosed by the Applicant. That is, Kallina's rods must be manually held in place between the clamp halves 803, 804 until fasteners 806 can be put in place. Applicant's rods, on the other hand, will maintain their selected position in the bores, without the necessity of being held by the user, until the set screws are tightened.

Kallina is thus deficient as a 35 U.S.C. § 102 reference to anticipate claim 1 at least because it does not have a conductive mast and a conductive block with bores to receive the rods. Thus, claim 1 should be in condition for allowance, and, as such, the claims which depend from claim 1 are likewise allowable. However, at least some of these claims contain recitations rendering them allowable of their own merit.

For example, claim 2 requires a passageway communicating with each bore to receive a set screw to hold the rods. As discussed above, Kallina does not even disclose any bores for the rods. Nor does, or could, Kallina disclose any passageway communicating with the non-existent bores. Without identifying the bores in Kallina, the Examiner identifies fasteners 806 as set screws in passageways communicating with the non-existent bores. But fasteners 806 merely hold clamp halves 803, 804 together to wedge the rods therebetween. In short, in Kallina there are no bores, no passageways leading to the bores, nor any set screws to hold the rods in any bores.

Similarly, with respect to claim 3, the Examiner has stated that Kallina "shows that the block includes an additional bore to receive the mast." But Kallina shows no such thing. In fact, Kallina does not show how the clamp half 804 is attached to the mast. Moreover, claim 3 requires a passageway communicating with the additional bore to receive a set screw. These features have been ignored by the Examiner, clearly because Kallina does not have them. Thus, no recitation of claim 3 is found in Kallina.

Nor does Kallina disclose chordal bores to receive the rods (claim 5) or a coil positioned on the mast (claim 10). In that regard, Applicant provides a coil 13 in conductive communication with the mast 12, block 15 and rods 40. The Examiner points to Kallina's balun 809. But this balun is not positioned on the mast, but is "hermetically sealed" within the clamps 803, 804 (Col. 12, line 61).

Turning now to the method claims, claim 13 recites the steps of identifying the desired frequency, and then selecting the size of the coil and configuration of the rods to provide the desired frequency. With reference to Col. 12, lines 41-60, the Examiner has indicated that the "structure of Kallina . . . would enable the method of constructing an antenna . . . comprising the steps as claimed." First, Kallina does not have a coil, and if the Examiner would again urge that the balun 809 is the claimed coil, there is absolutely no teaching in Kallina that the size of the coil may be considered in conjunction with the configuration of the rods to approximate the desired frequency. In fact, the only

teaching in Kallina is that the length of the rods 801, 802 has an influence on the frequency (Col. 12, lines 51-60). Nothing else is mentioned.

Thus, in addition to claim 13, other claims recite the subject matter not disclosed or suggested by Kallina et al. For example, since Kallina does not discuss selecting the size of a coil, it cannot possibly anticipate the step of identifying the rod configuration which will provide the desired frequency using the smallest coil (claim 14). Moreover, Kallina discloses only (and always) two rods — nothing more, nothing less. Claims 15 and 19 recite the step of selecting the number of rods to obtain the desired frequency. In Kallina, there is no choice. Thus, in addition to claim 13, Kallina fails to anticipate many claims dependent from claim 13.

Claim 24 is likewise not anticipated by Kallina. As discussed above, Kallina suggests nothing other than two rods. Thus, Kallina does not anticipate the step of "selecting the number of rods." In Kallina, there is no ability to select or use anything other than two rods. Nor does Kallina suggest the step of "selecting a coil . . . based on the selecting and determining steps." (Claim 26). Kallina is silent in this regard.

In view of the foregoing discussion and amendments, it is believed that in addition to claims 6-8, 16, 22 and 28, claims 1-5, 9-15, 17-21, 23-27 and 29 are allowable. Reconsideration by the Examiner and the issuance of a formal Notice of Allowance of claims 1-29 is earnest solicited.

In the event that the enclosed fee is not sufficient, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.

If any further issues remain after this amendment, a telephone call to the undersigned would be appreciated.

Respectfully submitted,



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